REMARKS

(1) Abstract. Applicant submits herewith a replacement title, as requested by the examiner.

(2) Applicant has reviewed the abstract carefully in view of the examiner's comments in the office action and finds the abstract to comport with the requirements of the patent law.

(2) Title. Applicant submits herewith a replacement title, as requested by the examiner.

(3) Double patenting.

The examiner has indicated that claims 1-13 are rejected under 35 USC 102 as claiming the same invention as that of claims 1, 12, 25-27, and 30 of prior U.S. Patent No. 6,263,362.

Applicant respectfully disagrees.

To assist the examiner in connection with the following remarks, the examiner is directed to table one below. In Table I the left-hand column shows the claims, element by element, for the subject patent application, while the right-hand column shows the claims referenced by the examiner, again, element by element, for U.S. Patent No.

6,263,362. With reference to Table I, applicant maps the claim elements between the subject's application and that of U.S. Patent No. 6,263,362. As a result of such mapping, it's clear that the subject matter of the subject of the present application is different than that of U.S. Patent No. 6,263,362. For example, with reference to Claim 1 of the subject application, a mapping to Claim 25, as suggested by the examiner, is provided. However, Claim 1 of the subject application is not included as a claim element of "an inspector dispatcher..." Thus, the subject application is directed to an invention that provides an inspector, that evaluates such inspections, and that performs various calculations, et cetera, but does not include an inspector dispatcher. Accordingly, applicant has not claimed the same invention as that set forth in U.S. Patent No. 6,263,362.

The examiner is directed to the discussion of Claim 2 provided in Table I. In this portion of the table, applicant has mapped Claim 2 of the subject application to those elements of Claim 25. Applicant indicates this mapping in the right-hand column by placing the claim number, *i.e.* 25, between brackets. Because it appears to applicant that the subject matter of Claim 2 in the instant application when combined with Claim 1 would indeed overlap protection provided in U.S. Patent No. 6,263,362, applicant has canceled Claim 2. Similarly, applicant has canceled Claims 3 and 4.

With regard to Claim 5, applicant notes that Claim 27 of U.S. Patent No. 6,263,362 is mapped thereto. However, applicant also notes that Claim 5 does not refer to an inspector dispatcher, but rather, is a further narrowing of the invention set forth in Claim 1. Because the invention set forth in Claim 1 stands on its own and is not a claim

directed to the subject matter of the patent referenced by the examiner, and because those elements that would so render the claim a double patenting, Claim 5 also is allowable. That is, the combinations of Claim 1 and Claim 5 do not in anywhere appear in the claims of U.S. Patent No. 6,263,362.

For the reasons set forth above with regard to Claims 2-4, applicant has also canceled Claim 6.

With regard to Claim 7, applicant notes that, again, there is no inspector dispatcher in that claim as is found in Claim 1 of U.S. Patent No. 6,263,362. Accordingly, for the reasons set forth above in connection with Claim 1, Claim 7 herein also is directed to subject matter that is not covered by the referenced U.S. patent. Because applicant is not attempting to patent the same invention in connection with Claim 7, Claim 7 is properly submitted and should be considered by the examiner as a separate invention.

Likewise, for the reasons set forth above with regard to claims 2-4 and 6, Claim 8 has been canceled by the applicant.

Applicant maintains Claims 9 and 10 as originally submitted for the same reason set forth above in connection with Claim 5. That is, the combination of these claims with their independent base claim, Claim 7, does not produce any claimed subject matter that is identical or that overlaps with the subject matter of the cited U.S. patent.

Applicant has amended Claim 11 to delete therefrom subject matter that relates to the inspector dispatcher. Accordingly, Claim 11 is now properly allowable in that the combination of Claim 11 with Claim 10 from which it depends and Claim 7 which is the base claim from which both claims depend, does not produce subject matter that is the same as the invention claimed in U.S. Patent No. 6,263,362.

For the reasons set forth above in connection with Claims 1 and 7, Claim 12 is maintained in its original state. Applicant submits that Claim 12, as with Claim 7, is directed to an invention that is not covered by the claims of U.S. Patent No. 6,263,362. In the case of Claim 12, the examiner has mapped this claim to Claim 30 of the cited U.S. patent. However, Claim 30 requires the provision of caches. The invention of Claim 12 does not require that claimed element, and, as such, is a different invention.

Applicant has canceled Claim 13 to avoid the possibility of overlapping the claims coverage sought for the inventions in the application herein with the inventions of the cited U.S. patent.

In view of the foregoing, applicant submits that the claims are directed to a different invention than that set forth in the cited U.S. patent. Applicant notes the examiner's reference to the *Miller, Ockert, and Vogel* cases, in which the term "same invention" is taken to mean an invention drawn to identical subject matter. In view of the foregoing discussion, it is clear that the claims in the subject application are not drawn to identical subject matter. Accordingly, the double patenting rejection is deemed overcome, and a withdrawal thereof is hereby solicited by the applicant.

CONCLUSION

Should the examiner deem it helpful, he is encouraged to contact applicant's attorney, Michael A. Glenn, at 650-474-8400. If any fees are required by this submission, an appropriate fee submittal sheet is enclosed herewith, or if the fees are incorrect in amount, please charge the required fees (or credit any overpayment) to Deposit Account No. 07-1445.

Respectfully Submitted,

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~~INSPECTOR FOR COMPUTED RELEVANCE MESSAGING~~

METHOD AND APPARATUS FOR INSPECTING THE PROPERTIES OF A COMPUTER

BACKGROUND OF THE INVENTION

TECHNICAL FIELD

The invention relates to a new process of communication using computers and associated communications infrastructure. More particularly, the invention relates to a method and apparatus for computed relevance messaging.

DESCRIPTION OF THE PRIOR ART

The aim of a communications process is to relay information between pairs of actors who, for purposes of the discussion herein, consist of an information provider and an information consumer. The following briefly discusses the concerns of each party.

Concerns of information provider

The information provider knows of pieces of information and of corresponding situations in which certain consumers would find those pieces of information interesting, useful, or

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METHOD AND APPARATUS FOR INSPECTING THE PROPERTIES OF A COMPUTER

ABSTRACT

The invention disclosed herein enables a collection of computers and associated communications infrastructure to offer a new communications process which allows information providers to broadcast information to a population of information consumers. The information may be targeted to those consumers who have a precisely formulated need for the information. This targeting may be based on information which is inaccessible to other communications protocols. The targeting also includes a time element. Information can be brought to the attention of the consumer precisely when it has become applicable, which may occur immediately upon receipt of the message, but may also occur long after the message arrives. The communications process may operate without intruding on consumers who do not exhibit the precisely-specified need for the information, and it may operate without compromising the security or privacy of the consumers who participate.

Table 1. Claim Comparison

S/N 09/782,011	USPN 6,263,362
1. (Original) A method for inspecting any of the properties of a computer, said computer's configuration, contents of said computer's storage devices, said computer's peripherals, said computer's environment, or remote affiliated computers, comprising the steps of:	25. A method for inspecting any of the properties of a computer, said computer's configuration, contents of said computer's storage devices, said computer's peripherals, said computer's environment, or remote affiliated computers, comprising the steps of:
	inspector dispatcher
providing at least one inspector which includes an inspector library and associated methods; and	providing at least one inspector which includes an inspector library and associated methods
	to inspect any of said properties of said computer, said computer's configuration, contents of said computer's storage devices, said computer's peripherals, said computer's environment, or remote affiliated computers; and
evaluating subexpressions with said at least one inspector;	evaluating subexpressions with said at least one inspector;

No dispatcher	providing an inspector dispatcher associated with an advice client computer for continually performing relevance determination
wherein said inspector performs any of mathematico-logical calculations, executes computational algorithms, returns the results of system calls, accesses the contents of storage devices, and queries devices or remote computers.	wherein said inspector performs any of mathematico-logical calculations, executes computational algorithms, returns the results of system calls, accesses the contents of storage devices, and queries devices or remote computers
	to inspect any of said properties of said computer, said computer's configuration, contents of said computer's storage devices, said computer's peripherals, said computer's environment, or remote affiliated computers;
No dispatcher	wherein said relevance determination is driven by a database of relevance clauses which can be continually evaluated; wherein said inspector library contains executable code which is invoked by said inspector dispatcher as part of said relevance determination process; wherein said at least one inspector is

	built into said inspector dispatcher; wherein an object, property name, and/or string selector is dispatched to said inspector dispatcher for relevance evaluation using a method dispatch module in accordance with dispatch information contained within a method dispatch table; and wherein said method dispatch module performs the steps of: parsing a clause in a relevance language; generating a list of method dispatches in response to said parsing step, wherein specific methods are called in a specific order with specific argument lits; and systematically carrying out a sequence of method dispatches in an apropriate order.
2. (Cancelled) The method of Claim 1, further comprising the step of:	
providing an inspector dispatcher associated with an advice client computer for continually performing	[25] providing an inspector dispatcher associated with an advice client computer for continually performing

relevance determination;	relevance determination
wherein said relevance determination is driven by a database of relevance clauses which can be continually evaluated; and	[25] wherein said relevance determination is driven by a database of relevance clauses which can be continually evaluated;
wherein said inspector library contains executable code which is invoked by said inspector dispatcher as part of said relevance determination process.	[25] wherein said inspector library contains executable code which is invoked by said inspector dispatcher as part of said relevance determination process;
3. (Cancelled) The method of Claim 2, wherein an object, property name, and/or string selector is dispatched to said inspector dispatcher for relevance evaluation using a method dispatch module in accordance with dispatch information contained within a method dispatch table.	[25] wherein an object, property name, and/or string selector is dispatched to said inspector dispatcher for relevance evaluation using a method dispatch module in accordance with dispatch information contained within a method dispatch table;
4. (Cancelled) The method of Claim 3, wherein said method dispatch module performs the steps of:	[25] wherein said method dispatch module performs the steps of:
parsing a clause in a relevance language;	[25] parsing a clause in a relevance language;
generating a list of method dispatches in response to said parsing step, wherein	[25] generating a list of method dispatches in response to said

specific methods are called in a specific order with specific argument lists; and	parsing step, wherein specific methods are called in a specific order with specific argument lits; and
systematically carrying out a sequence of method dispatches in an appropriate order.	[25] systematically carrying out a sequence of method dispatches in an apropriate order.
5. (Original) The method of Claim 1, further comprising the steps of:	27. The method of claim 25, further comprising the steps of:
sending certain relevance clauses to a remote location;	sending certain relevance clauses to a remote location;
evaluating said clauses; and	evaluating said clauses; and
returning said clauses after a user is made are of what is being transferred; wherein properties of said remote location are learned.	returning said clauses after a user is made aware of what is being transferred; wherein properties of said remote location are learned.
6. (Cancelled) The method of Claim 1, wherein said at least one inspector is built into said inspector dispatcher.	[25] wherein said at least one inspector is built into said inspector dispatcher;
7. (Cancelled) An inspector for inspecting any of the properties of a	1. An inspector for inspecting any of the properties of a computer, said

computer, said computer's configuration, contents of said computer's storage devices, said computer's peripherals, said computer's environment, or remote affiliated computers, said inspector comprising:	computer's configuration, contents of said computer's storage devices, said computer's peripherals, said computer's environment, or remote affiliated computers, said inspector comprising:
an inspector library containing executable code which is invoked as part of a continual relevance evaluation process; and	an inspector library containing executable code which is invoked as part of a continual relevance evaluation process;
one or more inspector methods for performing any of mathematico-logical calculations, executing computational algorithms, returning the results of system calls, accessing the contents of storage devices, and querying devices or remote computers.	one or more inspector methods for performing any of mathematico-logical calculations, executing computational algorithms, returning the results of system calls, accessing the contents of storage devices, and querying devices or remote computers

No dispatcher	to inspect any of the properties of a computer, said computer's configuration, contents of said computer's storage devices, said computer's peripherals, said computer's environment, or remote affiliated computers; an inspector dispatcher associated with an advice client computer for continually performing relevance determination, wherein said relevance determination is driven by a database of relevance clauses which can be continually evaluated; wherein properties which can be learned are an arbitrary combination of elementary properties that are determined according to basic calculations to inspect any of the properties of a computer, said computer's configuration, contents of said computer's storage devices, said computer's peripherals, said computer's environment, or remote affiliated computers; wherein said inspector library contains executable code which is invoked by said inspector dispatcher

	as part of said relevance determination process; and said inspector library further comprising any of: a declaration of a Phrase to be used in a relevance language; an association of said Phrase to a specific method; a declaration of a new data type to be used in an evaluation process; a declaration of a calling prototype of said specific method, including a number and required data types of arguments to be supplied to said specific method; a declaration of a result data type of said specific method; an implementation of said specific method in executable form; a declaration of special hooks associating code to be called on events, said events including any of inspector dispatcher initialization,

	inspector dispatcher termination, beginning of inspector dispatcher main evaluation loop, and ending of inspector dispatcher main evaluation loop; a declaration of special hooks associated with creation and maintenance of special caches associated with said specific method; and an implementation of special event methods and cache methods in executable form.
8. (Cancelled) The apparatus of Claim 7, further comprising:	
an inspector dispatcher associated with an advice client computer for continually performing relevance determination, wherein said relevance determination is driven by a database of relevance clauses which can be continually evaluated;	[1] an inspector dispatcher associated with an advice client computer for continually performing relevance determination, wherein said relevance determination is driven by a database of relevance clauses which can be continually evaluated;
wherein said inspector library contains executable code which is invoked by said inspector dispatcher as part of said	[1] wherein said inspector library contains executable code which is invoked by said inspector dispatcher

relevance determination process.	as part of said relevance determination process;
9. (Original) The apparatus of Claim 7,wherein certain relevance clauses are sent to a remote location, evaluated, and returned, after a user is made are of what is being transferred, wherein properties of the remote location can be learned.	12. The apparatus of claim 1, wherein certain relevance clauses are sent to a remote location, evaluated, and returned, after a user is made aware of what is being transferred, wherein properties of the remote location can be learned.
10. (Original) The apparatus of Claim 7, wherein properties which can be learned are an arbitrary combination of elementary properties that are determined according to basic calculations.	[1] wherein properties which can be learned are an arbitrary combination of elementary properties that are determined according to basic calculations
	[1] to inspect any of the properties of a computer, said computer's configuration, contents of said computer's storage devices, said computer's peripherals, said computer's environment, or remote affiliated computers;
11. (Amended) The inspector of Claim 10, said inspector library further comprising any of:	[1] said inspector library further comprising any of:
a declaration of a Phrase to be used in a	[1] a declaration of a Phrase to be

relevance language;	used in a relevance language;
an association of said Phrase to a specific method;	[1] an association of said Phrase to a specific method;
a declaration of a new data type to be used in an evaluation process;	[1] a declaration of a new data type to be used in an evaluation process;
a declaration of a calling prototype of said specific method, including a number and required data types of arguments to be supplied to said specific method;	[1] a declaration of a calling prototype of said specific method, including a number and required data types of arguments to be supplied to said specific method;
a declaration of a result data type of said specific method;	[1] a declaration of a result data type of said specific method;
an implementation of said specific method in executable form;	[1] an implementation of said specific method in executable form;
	[1] a declaration of special hooks associating code to be called on events, said events including any of inspector dispatcher initialization, inspector dispatcher termination,

	beginning of inspector dispatcher main evaluation loop, and ending of inspector dispatcher main evaluation loop;
a declaration of special hooks associated with creation and maintenance of special caches associated with said specific method; and	[1] a declaration of special hooks associated with creation and maintenance of special caches associated with said specific method; and
an implementation of special event methods and cache methods in executable form.	[1] an implementation of special event methods and cache methods in executable form.
12. (Original) In a system including computational devices connected by a communications network, said system comprising a communications apparatus for linking an information provider to information consumer, said communications apparatus comprising specific units of advice to be shared, digital documents conveying said advice, an advice provider for broadcasting said advice in the form of advisories, an advice consumer for receiving said advisories, wherein advisories are broadcast over said communications	30. In a system including computational devices connected by a communications network, said system comprising a communications apparatus for linking an information provider to information consumer, said communications apparatus comprising specific units of advice to be shared, digital documents conveying said advice, an advice provider for broadcasting said advice in the form of advisories, an advice consumer for receiving said advisories, wherein advisories are

network from said advice provider to said advice consumer, a communications protocol for narrowly-focused targeting of said advisories to said advice consumer by automatically matching advisories with an advice consumer for whom said advisories are relevant, and an inspector dispatcher associated with an advice client computer for continually performing relevance determination, wherein said relevance determination is driven by a database of relevance clauses which can be continually evaluated, at least one inspector, comprising:	broadcast over said communications network from said advice provider to said advice consumer, a communications protocol for narrowly-focused targeting of said advisories to said advice consumer by automatically matching advisories with an advice consumer for whom said advisories are relevant, and an inspector dispatcher associated with an advice client computer for continually performing relevance determination, wherein said relevance determination is driven by a database of relevance clauses which can be continually evaluated, at least one inspector, comprising:
an inspector library and associated methods for evaluating subexpressions with said at least one inspector;	an inspector library and associated methods for evaluating subexpressions with said at least one inspector; and one or more caches for avoiding heavy CPU and disk access overhead while successfully performing said continual relevance evaluation; wherein said inspector library contains executable code which is

	invoked by said inspector dispatcher as part of said relevance determination process; and wherein said inspector performs any of mathematico-logical calculations, executes computational algorithms, returns the results of system calls, accesses the contents of storage devices, and queries devices or remote computers.
No caches	one or more caches for avoiding heavy CPU and disk access overhead while successfully performing said continual relevance evaluation;
wherein said inspector library contains executable code which is invoked by said inspector dispatcher as part of said relevance determination process; and	wherein said inspector library contains executable code which is invoked by said inspector dispatcher as part of said relevance determination process; and
wherein said inspector performs any of mathematico-logical calculations, executes computational algorithms, returns the results of system calls, accesses the contents of storage devices, and queries devices or remote computers.	wherein said inspector performs any of mathematico-logical calculations, executes computational algorithms, returns the results of system calls, accesses the contents of storage devices, and queries devices or remote computers.

13. (Cancelled) The apparatus of Claim 12, further comprising:	
one or more caches for avoiding heavy CPU and disk access overhead while successfully performing said continual relevance evaluation.	one or more caches for avoiding heavy CPU and disk access overhead while successfully performing said continual relevance evaluation;

Claims

1. (Original) A method for inspecting any of the properties of a computer, said computer's configuration, contents of said computer's storage devices, said computer's peripherals, said computer's environment, or remote affiliated computers, comprising the steps of:

providing at least one inspector which includes an inspector library and associated methods; and

evaluating subexpressions with said at least one inspector;

wherein said inspector performs any of mathematico-logical calculations, executes computational algorithms, returns the results of system calls, accesses the contents of storage devices, and queries devices or remote computers.

2. (Cancelled) The method of Claim 1, further comprising the step of:

providing an inspector dispatcher associated with an advice client computer for continually performing relevance determination;

wherein said relevance determination is driven by a database of relevance clauses which can be continually evaluated; and

wherein said inspector library contains executable code which is invoked by said inspector dispatcher as part of said relevance determination process.

3. (Cancelled) The method of Claim 2, wherein an object, property name, and/or string selector is dispatched to said inspector dispatcher for relevance evaluation using a method dispatch module in accordance with dispatch information contained within a method dispatch table.

4. (Cancelled) The method of Claim 3, wherein said method dispatch module performs the steps of:

parsing a clause in a relevance language;

generating a list of method dispatches in response to said parsing step, wherein specific methods are called in a specific order with specific argument lists; and

systematically carrying out a sequence of method dispatches in an appropriate order.

5. (Original) The method of Claim 1, further comprising the steps of:

sending certain relevance clauses to a remote location;

evaluating said clauses; and

returning said clauses after a user is made are of what is being transferred; wherein properties of said remote location are learned.

6. (Cancelled) The method of Claim 1, wherein said at least one inspector is built into said inspector dispatcher.

7. (Original) An inspector for inspecting any of the properties of a computer, said computer's configuration, contents of said computer's storage devices, said computer's peripherals, said computer's environment, or remote affiliated computers, said inspector comprising:

an inspector library containing executable code which is invoked as part of a continual relevance evaluation process; and

one or more inspector methods for performing any of mathematico-logical calculations, executing computational algorithms, returning the results of system calls, accessing the contents of storage devices, and querying devices or remote computers.

8. (Cancelled) The apparatus of Claim 7, further comprising:

an inspector dispatcher associated with an advice client computer for continually performing relevance determination, wherein said relevance determination is driven by a database of relevance clauses which can be continually evaluated;

wherein said inspector library contains executable code which is invoked by said inspector dispatcher as part of said relevance determination process.

9. (Original) The apparatus of Claim 7,wherein certain relevance clauses are sent to a remote location, evaluated, and returned, after a user is made are of what is being transferred, wherein properties of the remote location can be learned.

10. (Original) The apparatus of Claim 7, wherein properties which can be learned are an arbitrary combination of elementary properties that are determined according to basic calculations.

11. (Amended) The inspector of Claim 10, said inspector library further comprising any of:

a declaration of a Phrase to be used in a relevance language;

an association of said Phrase to a specific method;

a declaration of a new data type to be used in an evaluation process;

a declaration of a calling prototype of said specific method, including a number and required data types of arguments to be supplied to said specific method;

a declaration of a result data type of said specific method;

an implementation of said specific method in executable form;

a declaration of special hooks associating code to be called on events~~, said events including any of inspector dispatcher initialization, inspector dispatcher termination, beginning of inspector dispatcher main evaluation loop, and ending of inspector dispatcher main evaluation loop~~;

a declaration of special hooks associated with creation and maintenance of special caches associated with said specific method; and

an implementation of special event methods and cache methods in executable form.

12. (Original) In a system including computational devices connected by a communications network, said system comprising a communications apparatus for linking an information provider to information consumer, said communications apparatus comprising specific units of advice to be shared, digital documents conveying said advice, an advice provider for broadcasting said advice in the form of advisories, an advice consumer for receiving said advisories, wherein advisories are broadcast over said communications network from said advice provider to said advice consumer, a communications protocol for narrowly-focused targeting of said advisories to said advice consumer by automatically matching advisories with an advice consumer for whom said advisories are relevant, and an inspector dispatcher associated with an advice client computer for continually performing relevance determination, wherein said relevance determination is driven by a database of relevance clauses which can be continually evaluated, at least one inspector, comprising:

an inspector library and associated methods for evaluating subexpressions with said at least one inspector;

wherein said inspector library contains executable code which is invoked by said inspector dispatcher as part of said relevance determination process; and

wherein said inspector performs any of mathematico-logical calculations, executes computational algorithms, returns the results of system calls, accesses the contents of storage devices, and queries devices or remote computers.

13. (Cancelled) The apparatus of Claim 12, further comprising:

one or more caches for avoiding heavy CPU and disk access overhead while successfully performing said continual relevance evaluation.

14. (New) A method for inspecting any of the properties of a computer, said computer's configuration, contents of said computer's storage devices, said computer's peripherals, said computer's environment, or remote affiliated computers, comprising the steps of:

providing an inspector dispatcher associated with an advice client computer for continually performing relevance determination by evaluating a database of relevance clauses; and

providing an inspector library that contains executable code which is invoked by said inspector dispatcher as part of said relevance determination process.

15. (New) The method of Claim 14, wherein an object, property name, and/or string selector is dispatched to said inspector dispatcher for relevance evaluation using a method dispatch module in accordance with dispatch information contained within a method dispatch table.

16. (New) The method of Claim 15, wherein said method dispatch module performs the steps of:

parsing a clause in a relevance language;

generating a list of method dispatches in response to said parsing step, wherein specific methods are called in a specific order with specific argument lists; and

systematically carrying out a sequence of method dispatches in an appropriate order.

17. (New) The method of Claim 14, wherein said at least one inspector is built into said inspector dispatcher

18. (New) An apparatus for inspecting any of the properties of a computer, said computer's configuration, contents of said computer's storage devices, said computer's peripherals, said computer's environment, or remote affiliated computers, comprising:

an inspector dispatcher associated with an advice client computer for continually performing relevance determination by evaluating a database of relevance clauses; and

19. (New) The apparatus of Claim 18, said inspector library further comprising any of:

a declaration of a Phrase to be used in a relevance language;

an association of said Phrase to a specific method;

a declaration of a new data type to be used in an evaluation process;

a declaration of a calling prototype of said specific method, including a number and required data types of arguments to be supplied to said specific method;

a declaration of a result data type of said specific method;

an implementation of said specific method in executable form;

a declaration of special hooks associating code to be called on events, said events including any of inspector dispatcher initialization, inspector dispatcher termination, beginning of inspector dispatcher main evaluation loop, and ending of inspector dispatcher main evaluation loop;

a declaration of special hooks associated with creation and maintenance of special caches associated with said specific method; and

an implementation of special event methods and cache methods in executable form.